

IN THE UNITED STATES DISTRICT COURT FOR
THE EASTERN DISTRICT OF TEXAS
BEAUMONT DIVISION

UNITED STATES OF AMERICA, §
Plaintiff, §
§
v. § No. 1:21-cv-00322
§
12 VARIOUS REAL PROPERTIES §
LOCATED IN BEAUMONT, §
JEFFERSON COUNTY, TEXAS, §
Defendants. §

VERIFIED COMPLAINT FOR FORFEITURE

In accordance with Fed. R. Civ. P. Supplemental Rule G(2), the United States of America, Plaintiff, brings this complaint for forfeiture and alleges as follows:

NATURE OF ACTION

1. This matter is an *in rem* action brought against the following defendant property:

- a. The real property located at 2343 Roman St., Beaumont,
Jefferson County, Texas:

Lot four (4), in block two (2), Lincoln Park Addition, City of Beaumont, Jefferson County, Texas, according to the map or plat thereof recorded in/under Volume 4, Page 153 of the map/plat records of Jefferson County, Texas.

- b. The real property located at 4270 Berkley St., Beaumont,
Jefferson County, Texas:

The South 38' of lot 2 and the North 24' of lot 3, block five 5, Eastwood Addition, an addition to the City of Beaumont, Jefferson County, Texas, according to the map or plat recorded in Volume 7, Page 87, map/plat records of Jefferson County, Tx.

- c. The real property located at 7560 Yellowstone Dr., Bevil Oaks, Jefferson County, Texas:

Lot number four (4), in block number five (5) of River Oaks Estates, a subdivision in the WM. C. Dyches Survey, Jefferson County, Texas, according to the map or plat thereof, on file and of record in Volume 10, Page 50 map records of Jefferson County, Texas.

- d. The real property located at 7765 Yellowstone, Beaumont, Jefferson County, Texas:

Lot 8, block 13, River Oaks Estates, a subdivision in the W. C. Dyches Survey in Jefferson County, Texas, according to the map or plat recorded in Volume 10, Page 61 map records of Jefferson County, Texas.

- e. The real property located at 13340 Hwy 105, Beaumont, Jefferson County, Texas:

Being a 5.4967 acre tract or parcel of land situated in the W.C. Dyches Survey, Abstract No. 112, Jefferson County, Texas and being all of that certain called 2.65 acre tract of land as described in a "General Warranty Deed" from Jessie L. Godbold to Richard Sutherland and Connie Sutherland as recorded in County Clerk's File No. 2004030010, Official Public Records Jefferson County, Texas and also being all of that certain called 2.722 acre tract, identified as Tract One and all of that certain called 0.130 acre tract, identified as Tract Two as described in 'General Warranty Deed' from Jessie L. Godbold, Individually and the Jessie L. Godbold Revocable Living Trust to Richard Sutherland and Connie Sutherland as recorded in County Clerk's File No. 2004030012, Official Public Records, Jefferson County, Texas, said 5.4967 acre tract being more particularly described as follows:

NOTE: All bearings are based on the East line of the Tract herein described, the same being the West line of Lowrey Place, as South 0°01'00" West as recorded in Volume 12, Page 70, Map Records, Jefferson County, Texas.

Beginning at a scribed "X" in a concrete foundation for a telephone pedestal found for the Southeast corner of the tract herein described, said

corner also being the Southwest corner of Lowrey Place, a subdivision of Jefferson County, Texas, according to the Plat thereof recorded in Volume 12, Page 70, Map Records, Jefferson County, Texas and also being in the North right-of-way line of State Highway 105 and also being the Southeast corner of the above referenced 0.130 acre Sutherland tract and said corner bears North 83°03'34" West a distance of 258.90 feet from a 5/8" iron rod found for the intersection of the North right-of-way line of State Highway 105 and the East right-of-way line of Carroll Lane, the same being the Southwest corner of Lot 1, Block 3 of the said Lowrey Place.

- f. The real property located at 13355 Moss Hill Dr., Beaumont, Jefferson County, Texas:

Lot number three (3), in block number eleven (11), of River Oaks Estates, an addition to Jefferson County, Texas, as the same appears upon the map or plat thereof, on file and of record in Volume 10, Page 61 map records of Jefferson County, Texas.

- g. The real property located at 13525 Moss Hill, Bevil Oaks, Jefferson County, Texas:

Lot number six (6), block number nine (9), River Oaks Estates, A subdivision in Jefferson County, Texas, according to the map or plat of record in Volume 10, Page 61 map records in the office of the county clerk of said county and state.

- h. The real property located at 13375 Chimney Rock Dr., Bevil Oaks, Jefferson County, Texas:

Lot number thirteen (13), in block number twenty (20), of River Oaks Estates, an addition in the W. E. Dyches Survey in Jefferson County, Texas, according to the map or plat thereof recorded in Volume 10, Page 61 of the map/plat records of Jefferson County, Texas.

- i. The real property located at 13395 Chimney Rock Dr.,

Bevil Oaks, Jefferson County, Texas:

Lot number fourteen (14), in block number twenty (20), of River Oaks Estates, an addition in Jefferson County, Texas, according to the map or plat thereof recorded in/under Volume 10, Page 61 of the map/plat records of Jefferson County, Texas.

- j. The real property located at 13420 Chimney Rock

Dr., Bevil Oaks, Jefferson County, Texas:

Lot 7, block 24, River Oaks Estates, an addition in Jefferson County, Texas, according to the map or plat recorded in Volume 10, Page 106 map/plat records of Jefferson County, Texas.

- k. The real property located at 13420 Wayside Dr., Bevil Oaks,

Jefferson County, Texas:

Lot number five (5), in block number eighteen (18), of River Oaks Estates, an addition in Jefferson County, Texas, according to the map or plat thereof recorded in/under Volume 10, Page 61 of the map/plat records of Jefferson County, Texas.

- l. The real property located at 13520 Wayside Dr., Bevil Oaks,

Jefferson County, Texas:

Lot number five (5), in block number eighteen (17), of River Oaks Estates, an addition in Jefferson County, Texas, according to the map or plat thereof recorded in/under Volume 10, Page 61 of the map/plat records of Jefferson County, Texas.

JURISDICTION AND VENUE

2. The Court has subject matter jurisdiction over an action commenced by the United States pursuant to 28 U.S.C. § 1345 and over an action for forfeiture pursuant to 28 U.S.C. § 1355(a).

3. The Court has *in rem* jurisdiction over the defendant property pursuant to

28 U.S.C. § 1335(b)(1)(A) because acts or omissions giving rise to the forfeiture occurred in the Eastern District of Texas. The Court also has in rem jurisdiction over the defendant property located in the Eastern District of Texas pursuant to 28 U.S.C. §§ 1335(b)(1)(B) and 1395(b).

4. Venue is proper pursuant to 28 U.S.C. §1335(b)(1)(A) because acts or omissions giving rise to the forfeiture occurred in the Eastern District of Texas.

LEGAL BASIS FOR FORFEITURE

5. The defendant property is subject to forfeiture to the United States pursuant to 18 U.S.C. §§ 981(a)(l)(A), and 981(a)(1)(C), because the property was involved in or traceable to (i) property involved in specified unlawful activity, that is distribution of a controlled substance in violation of 21 U.S.C. § 841 and conspiracy to distribute a controlled substance in violation of 21 U.S.C. § 846, and (ii) financial transactions in violation of 18 U.S.C. §§ 1956 and 1957 (money laundering).

Any property, real or personal, which constitutes proceeds or is derived from proceeds traceable to a violation of 21 U.S.C. §§ 841 or 846 are subject to forfeiture pursuant to 18 U.S.C. § 981(a)(1)(C). Also, under 18 U.S.C. § 981(a)(l)(A), any property, real or personal, involved in a transaction in violation of 18 U.S.C. §§ 1956 or 1957 or any property traceable to such property is subject to forfeiture.

Further, the defendant property is subject to forfeiture to the United States pursuant to 21 U.S.C. § 881(a)(6), all moneys and things of value furnished or intended to be furnished by any person in exchange for a controlled substance, all proceeds traceable to such an exchange, and all monies used or intended to be used to facilitate any

violation of 21 U.S.C. § 841 are subject to forfeiture.

FACTUAL BACKGROUND

6. The following real property has not been seized:
 - a. 2343 Roman St, Beaumont, TX 77703,
 - b. 4270 Berkley St, Beaumont, TX 77703,
 - c. 7560 Yellowstone Dr, Beaumont, TX 77713,
 - d. 7765 Yellowstone Dr, Beaumont, TX 77713,
 - e. 13340 Highway 105, Beaumont, TX 77713,
 - f. 13355 Moss Hill, Beaumont, TX 77713,
 - g. 13525 Moss Hill, Beaumont TX 77713,
 - h. 13375 Chimney Rock Dr, Beaumont, TX 77713,
 - i. 13395 Chimney Rock Dr, Beaumont, TX 77713,
 - j. 13420 Chimney Rock Dr, Beaumont, TX 77713,
 - k. 13420 Wayside Dr, Beaumont, TX 77713, and
 - l. 13520 Wayside Dr, Beaumont, TX 77713.

7. The government does not request authority from the Court to seize the above-listed real property at this time. Pursuant to 18 U.S.C. §§ 985(b)(l) and (c)(l), the government will instead do the following:

- a. Post notice of this action and a copy of the Complaint on the property;
- b. Serve notice of this action and a copy of this Complaint on the real property owner and any other person or entity who may claim an interest in the real property; and
- c. File a *lis pendens* in county records of the real property's status as

a defendant in this *in rem* action.

8. There is probable cause to believe that all the above properties were purchased with proceeds from the sale of synthetic cannabinoids.

Beginning in 2012, during a routine burglary investigation, Port Arthur Police discovered precursor chemicals and packaged synthetic cannabinoids ready for street resale at the residence of Daurence Brooks. In 2013, Customs and Border Protection seized 15,000 empty bags used to retain “Klimax”, a synthetic cannabinoid. The shipment was associated to a phone number associated with Daurence Brooks.

In November 2014, Customs and Border Protection seized a kilogram of synthetic cannabinoid in route to a property purchased by Daurence Brooks and Mira Brooks in Groves, Texas.

Subsequent investigation revealed that Brooks had purchased at least 9,080 pounds of precursor materials from a supplier in San Francisco. Various cooperators have since described the purchase and sale of these drugs obtained from Daurence Brooks.

During the relevant time period, Daurence and Mira Brooks started at least five real estate related business entities. Laundered funds from the drug enterprises were used to purchase the residential properties in Jefferson County, including the properties listed herein.

The Brooks conducted multiple wire transfers to companies in China totaling over \$375,000.00 between 2015 and 2018. It is believed that this represented the purchase of many precursors later used to create the drugs.

Further financial investigation of Daurence and Mira Brooks shows that prior to and during the relevant dates, they had no significant source of income to purchase the properties in question. These conclusions are based on reviews of income tax returns and employment records. It is believed that Brooks purchased the real estate with illegal proceeds, as he has no other source of funds to purchase these properties.

POTENTIAL CLAIMANTS

9. The potential claimants to the defendant property are:

Brooks Home Realty LLC
P.O. Box 22893
Beaumont, Texas 77720-2893, and

DMB Realty LLC
P.O. Box 22893
Beaumont, Texas, 77720-2893

RELIEF

10. The United States respectfully requests that the Court forfeit the defendant property to the United States, award costs and disbursements in this action to the United States and order any other relief that the Court deems appropriate.

Respectfully submitted,

NICHOLAS J. GANJEI
ACTING UNITED STATES ATTORNEY

/s/ Michael W. Lockhart
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VERIFICATION PURSUANT TO 28 U.S.C. § 1746

I, Michael W. Lockhart, hereby state that:

1. I am an Assistant United States Attorney for the Eastern District of Texas.
2. I have read this Complaint, and the information contained herein is true and correct to the best of my knowledge.
3. The information contained in this Complaint comes from the official files and records of the United States and information received from law enforcement officers.

I state and verify under penalty of perjury that the foregoing is true and correct.

/s/ Michael W. Lockhart
MICHEAL W. LOCKHART
Assistant United States Attorney

Dated: June 22, 2021.